

1. Introduction

- 1.1 ICVA is a membership body which leads, supports and represents independent custody visiting schemes in the UK. ICVA also represents England and Wales independent custody visiting at the United Kingdom National Preventive Mechanism (UKNPM) to prevent ill treatment in places of detention.
- 1.2 We welcome this opportunity to comment on the draft amendments to HMICFRS inspection framework.
- 1.3 As a body that is concerned with those detained in police custody, ICVA's response to the consultation will be limited to the suggested amends of the inclusion of the custody inspection to the PEEL inspection framework.

2. Inclusion of Custody Inspections in PEEL Framework

- 2.1 ICVA welcomes a more frequent inspection of police custody to every four years. An increase in frequency of inspection of this important part of policing is a positive step. However, we have some concerns about losing the specific focus, and specialism on conditions and treatment in custody.
- 2.2 The inspection of police custody as such was begun when the UK set up a National Preventive Mechanism (NPM) to fulfil its obligations under OPCAT (the UN Convention against Torture, to protect the care and rights of detainees who are held in police custody and to ensure the prevention of ill treatment where people are deprived of their liberty. HMICFRS is therefore one of the organisations designated as part of the NPM. This is a specific role and responsibility, alongside the current focus of PEEL inspections on efficiency and effectiveness.
- 2.3 It is therefore important that inclusion within the PEEL process does not dilute the rights-based focus of the current custody inspection expectations and the specific role of HMICFRS within the NPM and specific reference should be made to OPCAT within PEEL alongside effectiveness, efficiency and public trust.
- 2.4 PEEL inspections grade forces as one of four levels and there is currently a lack of clarity for consultees as to how this grading system would fit with current custody inspection findings detailing areas of improvement and causes of concern, making it difficult to fully comment on any proposals. Clarity on this area would allow ICVA to fully respond to this proposal.
- 2.5 Follow up visits are noted as continuing to be part of the inspection framework and resultant gradings which is positive as they are an important part of monitoring improvements where failings have been identified, but as per 2.3, there is currently a lack of clarity as to how this will function.
- 2.6 At present, custodial inspections are carried out jointly with the Care Quality Commission and Health Inspectorate Wales, to assess the provision of healthcare in custody, which is crucial to detainees' safety and treatment. Whilst the letter inviting consultation reflected that this would continue, the

consultation document itself does not confirm whether this will continue under PEEL inspections. ICVA strongly believes that this joint area of working should remain in place and be reflected accurately in the documentation.

2.7 The value of detailed reports to ICV monitoring should not be underestimated.

2.8 ICVA utilises HMICFRS custody reports to work with members to focus on areas requiring further scrutiny, sharing a precis of reports with all members and producing a stakeholder update for use by the OPCC, NPM, NPCC and other interested parties. ICVA comments thematically on areas in particular reports which stand out as unusual, either in terms of good practice or areas of concern and meets individually with members to discuss the report.

2.9 Whilst we welcome the increase in frequency of inspections, ICVA would like to ensure that public reports with similar levels of detail are produced and published from each inspection.

Consultation Response Ends.